

**FIFTH DAY.**

Senate Chamber,  
Austin, Texas, Jan. 20, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Strickland.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	Woodward.

Absent.

Parr.

Absent—Excused.

Alderdice. Westbrook.

Prayer by the Chaplain.

Pending the reading of the Journal of last Friday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator Alderdice was excused for today on account of illness, on motion of Senator Bailey.

**Petitions and Memorials.**

See Appendix.

**Committee Reports.**

See Appendix.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, Jan. 20, 1919.

Hon. J. J. Strickland, President Pro Tem. of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has adopted the following:

S. C. R. No. 5, relating to enrolled bills.

Respectfully submitted,

T. B. REESE.

Chief Clerk, House of Representatives.

**Executive Session—Time Changed.**

On request of Senator McNealus, the hour heretofore set for the holding of executive session was changed from 11 o'clock today and reset for 2:30 o'clock p. m. Wednesday.

**Bills and Resolutions.**

By Senator Dorough:

S. B. No. 61, A bill to be entitled "An Act to place under the jurisdiction of the Railroad Commission of the State of Texas public utilities, as defined in this Act, conferring upon the Commission powers for the regulation of such public utilities as defined herein, except the rates and service of public utilities operated by cities and towns, prescribing the rights and duties of public utilities, preserving to cities, towns and municipalities powers for regulation and control, providing penalties for violations of provisions of this Act, repealing all laws and parts of laws in conflict with provisions hereof, but not affecting or limiting in any manner the powers and duties of the Commission with respect to railroads and other utilities heretofore under its jurisdiction, authorizing the employment of an attorney, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator McNealus:

S. B. No. 62, A bill to be entitled "An Act to amend Article 1428 and to repeal Article 1429, Title 17, Chapter 18, of the Penal Code of Texas, relating to obtaining board and lodging under false pretenses or obtaining any property or thing of value or the making, uttering or delivery of any check, draft or order in payment of any obligation to defraud; to fix the punishment; to prescribe a rule of evidence or prosecution; to make the law cumulative, and to declare an emergency."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 63, A bill to be entitled "An Act to amend Title 7, Chapter 4, Code of Criminal Procedure, by adding thereto Article 541a relating to the manner of enforcing the attendance of witnesses where money, property or other things of value has been obtained under false pretenses or by uttering or delivering any check, draft or order in payment of any obligation with the intention to defraud; to prescribe manner in which such witnesses may be required to attend any trial; to provide for their pay, and to declare an emergency."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Cousins:

S. B. No. 64, A bill to be entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency."

Read first time, and referred to Committee on Labor.

By Senator Dudley:

S. B. No. 65, A bill to be entitled "An Act to amend Article 7354 of the Revised Civil Statutes of Texas, levying a poll tax on every male person between the ages of twenty-one and sixty years, resident of this State on the first day of January of each year, so as to provide that soldiers, marines and seamen who enlisted in or were drafted in the United States army during the years 1917 and 1918 and who were at the time of their induction into the military or naval service of the United States resident citizens of the State of Texas, shall be exempt from the payment of poll taxes for the years 1918 and 1919, and further providing that such persons may vote without the payment of poll taxes in all elections held in this State during the years 1918 and 1919, repealing all laws in conflict therewith, and declaring an emergency."

Read first time, and referred to

Committee on Criminal Jurisprudence.

By Senator Dudley:

S. B. No. 66, A bill to be entitled "An Act to provide for the eradication of predatory animals, making an appropriation therefor, and prescribing the manner of its expenditure in co-operation with the Bureau of Biological Survey, United States Department of Agriculture."

Read first time, and referred to Committee on Finance.

By Senator McNealus:

S. B. No. 67, A bill to be entitled "An Act to amend Sections 1 and 2 of an Act approved April 4, 1917, Chapter No. 192, Senate Bill No. 167, entitled 'An Act to provide whole family protection for members of fraternal benefit societies,' and declaring an emergency."

Read first time, and referred to Committee on Insurance and Banking.

By Senator Caldwell:

S. B. No. 68, A bill to be entitled "An Act to make a supplemental appropriation of three thousand and five hundred (\$3500.00) dollars for the support and maintenance of the Dairy and Food Department for the fiscal year ending September 1, 1919, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Caldwell:

S. B. No. 69, A bill to be entitled "An Act making an appropriation for cleaning the State Library and arranging material, and declaring an emergency."

Read first time, and referred to Committee on Finance.

By Senator Caldwell:

S. B. No. 70, A bill to be entitled "An Act to amend Subdivision 5 of Article 1380, Chapter IV, Title 37, Revised Civil Statutes of the State of Texas of 1911, relating to the venue of suits, by adding at the end of Subdivision 5 the words: 'Provided, that suits to recover for labor performed or for any kind of personal service rendered, whether founded upon contract or not, at the option of the plaintiff, may be brought and main-

tained in the county where such labor is performed or such personal services rendered,' and declaring an emergency."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Caldwell:

S. B. No. 71, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the eradication of cattle ticks law, so that hereafter the counties of Lampasas, Burnet, San Saba and Mills, in the State of Texas, shall be placed in Zone No. 2 instead of in Zone No. 1, as heretofore, and declaring an emergency."

Read first time, and referred to Committee on Stock and Stock Raising.

By Senator Woods:

S. B. No. 72, A bill to be entitled "An Act to amend Article 3234 of the Revised Statutes of 1911 by consolidating them and by adding thereto certain provisions for the taking of depositions in cases of probating wills and other proceedings in estates where there is no opposing party or attorney of record upon whom service of notice and copies of interrogatories may be had."

Read first time, and referred to Committee on Civil Jurisprudence.

By Senator Woods:

S. B. No. 73, A bill to be entitled "An Act to provide that in certain cases one or more charges against a defendant may be joined in the same indictment or information, and that if two or more indictments or informations are presented the court may order that they be consolidated."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Woods:

S. B. No. 74, A bill to be entitled "An Act to amend Articles 1303, 1304, 1308, 1311, 1312 and 1320, of the Penal Code of the State of Texas, 1911, defining and punishing the offense of burglary and attempt at burglary, distinguishing day-time bur-

glary and night-time burglary of a private residence, providing separate punishments, and declaring an emergency."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Woods:

S. B. No. 75, A bill to be entitled "An Act to amend Article 1340 of the Penal Code of the State of Texas, prescribing the punishment for theft of property of the value of \$50.00 or over, by reducing the minimum punishment."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Woods:

S. B. No. 76, A bill to be entitled "An Act to amend Article 1430 of the Penal Code of Texas, prescribing and punishing the offense of fraudulently disposing of mortgaged property, by changing the form of punishment in certain cases and by reducing the minimum punishment."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 77, A bill to be entitled "An Act to provide for the teaching of United States infantry drill tactics in certain schools of this State; to provide for the examination of school teachers on United States infantry drill tactics, and professors and teachers in certain other schools of this State, and declaring an emergency."

Read first time, and referred to Committee on Military Affairs.

By Senator Buchanan of Scurry:

S. B. No. 78, A bill to be entitled "An Act to amend Article 1306 of Chapter 24, Title 25, of the Revised Civil Statutes of Texas of 1911, so as to remove the limitations of the right of common carrier pipe lines organized under said chapter and title to condemn only for pipe lines not exceeding eight inches in diameter and to grant to every person, firm, corporation, limited partnership, joint stock association or association of any kind whatever owning, operating or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared

to be a common carrier by and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature, approved on February 20, 1917, the right and power of eminent domain in the exercise of which he, it or they may enter upon and condemn the lands, rights of way, easements and property of any person or corporation necessary for the construction, maintenance or operation of his, its or their common carrier pipe lines, the manner and method of such condemnation and the assessment and payment of the damages therefor to be the same as provided by law in the case of railroads; and to grant such other rights as are conferred by said Article 1306 as amended hereby upon corporations organized under said Chapter 24; and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

#### Senate Concurrent Resolution No. 8.

Whereas, The time for planting a crop is now near at hand and it is of the utmost importance to all the people of this State and especially to those of the drouth stricken portions of the same that bountiful crops be planted, matured and harvested this year, and as large a supply as possible be produced of cattle, hogs, poultry, and other food products, and

Whereas, Owing to the present war conditions a scarcity of labor exists on the farms and ranches in every portion of this State, and

Whereas, Owing to the recent armistice between the Allies and Germany and other Central Powers, the Army and Navy of the United States of America is now being demobilized; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That in the demobilization of the Army and Navy preference should be given to such soldiers, seamen, and others as prior to the war were engaged in and intend and desire to return to their former occupations of farming and stock-raising to the end that all such may return to their homes at once and in time to plant, cultivate and mature dur-

ing the present year full crops and produce supplies of meats and food stuffs, and that the agricultural and cattle-raising resources of this State may be developed to their fullest extent.

Resolved, further, That copies of this resolution be forwarded to our Senators and Representatives in Congress with the request that this matter be taken up with the War Department, Navy Department, and Adjutant General, and that such action be taken by the Congress of the United States as may be necessary to the end that all such men may be discharged and returned to their homes at the very earliest date possible consistent with the welfare and safety of the Nation.

BAILEY.  
COUSINS.  
CLARK.  
HALL.  
BUCHANAN of Bell.

The resolution was read second time and on motion of Senator Bailey, the same was adopted.

#### Senator R. L. Carlock.

Upon suggestion of Senator Caldwell that Senator-elect Hon. R. L. Carlock, of Tarrant County, is present in the chamber, the Chair appointed Senators Dudley, Caldwell and Dean as a committee to escort him to the bar of the Senate, whereupon he took the constitutional oath of office, administered by President Pro Tem. Strickland, and was seated as a member of the Senate.

#### Simple Resolution No. 24.

Whereas, The Hon. Morris Sheppard, United States Senator from the State of Texas, has achieved notable success in his efforts in securing the adoption of amendment No. eighteen to the Constitution of the United States known as the prohibition amendment, and

Whereas, Said Senator has also achieved success in his advocacy of Woman's Suffrage, together with many other notable pieces of legislation; and has been one of the most active members in Congress that the

State of Texas has ever sent to Congress; and

Whereas, He represents true progressive democracy in all things, and is capable of doing big things; he is worthy of any trust that may be committed to his care by the people of this Nation, and we believe he is the man of the hour, a winner, and the logical candidate of our great party for the next President of this United States; therefore, be it

Resolved, by the Senate of Texas, That we recommend to the consideration of the Democratic Party of the Nation, the name of Hon Morris Sheppard of Texas, for the next presidential candidate of our party.

DAYTON.  
FLOYD.

The resolution was read and Senator Dayton moved its adoption.

As a substitute, Senator Page moved that the resolution lie on the table one day.

Pending.

#### Joint Session.

At 10:30 o'clock a. m., the Chair announced that the hour heretofore fixed by concurrent resolution, for the counting of the vote for Governor and Lieutenant Governor had arrived, and directed that the Senate repair in a body to the Hall of the House of Representatives.

Escorted by the Sergeant-at-Arms of the Senate, M. F. Hornbuckle, the Secretary of the Senate, W. E. Conn, and the Journal Clerk of the Senate, T. H. Yarbrough, the Senators advanced into the hall, and by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

President Pro Tem. Strickland, on the part of the Senate directed the roll of Senators called, a quorum being present the following Senators answering to their names:

Bailey.	Dean.
Bell.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry.	Faust.
Caldwell.	Floyd.
Carlock.	Gibson.
Clark.	Hall.
Cousins.	Hertzberg.
Dayton.	Hopkins.

Johnston.	Suiter.
McNealus.	Williford.
Page.	Witt.
Smith.	Woods.
Strickland.	Woodward.

Absent.

Parr.

Absent—Excused.

Alderdice.

Westbrook.

The Speaker then directed the clerk to call the roll of the House, a quorum of the House being present, the following members answering to their names:

Mr. Speaker.	King of Erath.
Alexander.	King of Throck-
Atlee.	morton.
Barker.	Kittrell.
Barnes.	Lacey.
Barrett of Bell.	Lackey.
Barrett of Jones.	Laney.
Bass.	Lange.
Beard.	Lawrence.
Beasley.	Lee.
Bedell.	Loggins.
Bertram.	McCord.
Biggs.	McDonald.
Black.	McFarlane.
Blackburn.	McLeod.
Bledsoe.	McMillin.
Bolin.	Malone.
Bonham.	Marshall.
Brady.	Miller of Austin.
Brown of Liberty.	Miller of Dallas.
Brown of Tarrant.	Morris of Bosque.
Bryant.	Morris of Montague.
Burns.	Murphy.
Burton.	Murrell.
Canales.	Newton.
Childers.	Nordhaus.
Cox.	O'Banion.
Curtis.	Osborne.
Davidson.	Owen.
Davis, John E. of	Parnell.
Dallas.	Parsley.
Davis, John, of	Peevy.
Dallas.	Pedigo.
Davis of Van Zandt.	Peyton.
Dwiggins.	Poage.
Estes.	Pool.
Fairchild.	Quicksall.
Faubion.	Raiden.
Fly.	Reeves.
Hall.	Rogers.
Heideke.	Rosser.
Hornby.	Satterwhite.
Horton.	Schlosshan.
Johnson of Ellis.	Scott.
Johnson of Travis.	Seagler.
Kellis.	Sentell.

Seward.	Tilson.
Smith of Hopkins.	Vaughan.
Sneed.	Veatch.
Stephens.	Walker of Newton.
Stewart.	Walker of Wise.
Stout.	Weber.
Taylor.	Wigington.
Teer.	Williams of Mc-
Terrell.	Lennan.
Tharp.	Williams of Mont-
Thomas.	gomery.
Thomason.	Winfree.
Thompson.	Yantis.
Tidwell.	Wright.

## Absent.

Bagby.	Johnson of Blanco.
Brown of Wilson.	Jones.
Crumpton.	McDowra.
Darroch.	Moon.
Dickson.	Richards.
Ford.	Roemer.
Gaddy.	Sackett.
Hamilton.	Tillotson.
Hill of Hidalgo.	Wilson.
Hill of Wheeler.	

## Absent—Excused.

Beason.	Neill.
Culp.	Pope.
Dodd.	Smith of Bastrop.
Lowe.	

The President Pro Tempore of the Senate and the Speaker of the House then stated that the two Houses were in joint session for the purpose of counting the votes for Governor and Lieutenant Governor, cast at the last general election.

The President Pro Tempore of the Senate announced the appointment of the following tellers on the part of the Senate:

Senators Woods, Suiter and Dean.

The Speaker of the House announced the appointment of the following tellers on the part of the House:

Messrs. Canales, Peevy, Murphy, Seagler and Rogers.

The joint tellers were announced present, and they at once came forward and occupied the seats at a table already prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election of Governor and Lieutenant Governor, which returns had been duly delivered by the Secretary of

State to the Speaker of the House of Representatives of the Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at the last general election.

At 11:30 a. m. the presiding officers announced that the joint session would stand at ease until 2:30 o'clock p. m. today, to give the committee time to tabulate the election returns.

At 2:30 o'clock p. m., the joint session was called to order on the part of the Senate by Hon. J. J. Strickland, President Pro Tempore of the Senate, and on the part of the House by Hon. R. E. Thomason, Speaker of the House.

When the count was completed, the President Pro Tempore of the Senate and the Speaker of the House announced to the joint session that the joint tellers had completed the count of the votes, and that the joint session is now ready to receive the result, and to have the report of the joint tellers.

Senator Woods, on the part of the Senate, and Mr. Canales, on the part of the House, submitted the following report:

Austin, Texas, January 20, 1919.  
Hon. J. J. Strickland, President Pro Tem. of the Senate, and  
Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers appointed to canvass the votes cast at the last general election held in Texas on November 5, 1918, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty and the result of our canvass is as follows:

There were cast for Governor:  
For W. P. Hobby. . . . 148,982 votes  
For C. A. Boynton. . . . 26,713 votes  
For W. D. Simpson. . . . 1,660 votes  
Scattering. . . . . 29 votes

Total number of votes  
cast for Governor. . . 177,384

There were cast for Lieutenant Governor:  
For W. A. Johnson. . . . 152,835 votes  
For John C. Scott. . . . 22,909 votes  
For T. L. Hurlburt. . . . 1,640 votes  
Scattering . . . . . 5 votes

Total number of votes  
cast for Lieutenant  
Governor . . . . .177,389

All of which is respectfully sub-  
mitted.

WOODS.  
SUITER.  
DEAN.

On the part of the Senate.

CANALES.  
ROGERS.

SEAGLER,  
PEEVY,  
MURPHY,

On the part of the House.

Whereupon, Hon. R. E. Thomason,  
Speaker of the House of Representa-  
tives and Hon. J. J. Strickland, Pres-  
ident Pro Tempore of the Senate  
each made the following announce-  
ment:

"Hon. W. P. Hobby, having re-  
ceived the highest number of votes  
cast, I, by virtue of the authority  
vested in me by the Constitution and  
laws of the State of Texas, declare

him duly, legally and constitutionally  
elected Governor of the State for the  
ensuing term of two years; and Hon.  
W. A. Johnson, having received the  
highest number of votes cast, I, by  
virtue of the authority vested in me  
by the Constitution and laws of the  
State of Texas, declare him duly,  
legally and constitutionally elected  
Lieutenant Governor of the State of  
Texas for the ensuing term of two  
years."

The Speaker of the House then  
announced that the business of the  
joint session was concluded, and de-  
livered the election returns used in  
counting the vote into the hands of  
T. B. Reese, taking his receipt there-  
for and directing him to deliver the  
same in person to the Secretary of  
State, to take the receipt of the Sec-  
retary of State for the documents.

#### SENATE RETIRES.

On motion of Senator Dayton, the  
Senate, at 2:40 o'clock p. m., retired  
to its Chamber.

County	Governor			Lieut. Governor		
	Hobby	Boynton	Simpson	Johnson	Scott	Hurlburt
Anderson	1,222	261	13	1,245	262	13
Andrews	39			40		
Angelina	675	37	10	696	29	10
Aransas	150	6		151	5	
Archer	299	8		299	8	
Armstrong	169	10	1	171	4	1
Atascosa	305	17		289	12	
Austin	649	384	25	831	311	24
Bailey						
Bandera	357	58	11	358	60	11
Bastrop	754	211		784	203	
Baylor	366	16	5	378	12	5
Bee	563	74	4	587	64	4
Bell	2065	250	15	2144	185	13
Bexar	2885	1793	28	3199	1511	26
Blanco	474	121	3	496	108	3
Borden	30			30		
Bosque	864	291	3	959	213	1
Bowie	1178	54	7	1178	56	7
Brazoria	466	313	14	480	291	13
Brazos	882	262	1	932	240	
Brewster	111	3		113	3	
Brisco	114	1	1	114	1	1
Brooks	68	5		71	3	
Brown	848	57	8	882	56	8
Burleson	550	135		584	112	
Burnet	470	84	3	492	76	3
Caldwell	568	83	1	582	80	1
Calhoun	242	25	2	255	14	2
Callahan	547	19	3	550	16	3
Cameron	791	41		788	41	
Camp	365	89	2	376	79	2
Carson	151	7		152	7	
Cass	1065	220	9	1077	211	9
Castro and Bailly	133	19	1	133	19	1
Chambers	122	32		122	32	
Cherokee	1415	165	23	1427	147	19
Childress	377	14	1	379	11	1
Clay	792	71	8	809	59	7
Cochran						
Cooke	176	5	2	180	5	2
Coleman	799	44	10	800	37	10
Collin	2186	308	21	2216	293	20
Collingsworth	290	17	4	293	22	2
Colorado	553	246	25	643	173	25
Comal	344	302	22	397	267	21
Comanche	828	262	25	936	185	26
Concho	200	22	1	207	20	1
Cooke	1281	127	3	1278	121	3
Coryell	927	94	8	980	68	9
Cottle	168	1		168		
Crane						
Crockett	29	1	2	30		2
Crosby	303	8	4	307	9	4
Culberson	43	1		40	1	
Dallam	146	31	4	148	27	4
Dallas	4007	443	17	4107	403	17
Dawson	149	4	3	150	3	3
Deaf Smith	172	28		172	26	
Delta	583	28	1	583	28	1
Denton	1631	274	12	1661	254	17
De Witt	518	90	3	545	85	3
Dickens	228	19	2	240	9	2
Dimmitt	102	17		106	21	
Donley	301	11		299	11	
Duval	277	4		276	6	
Eastland	816	55	22	833	54	19
Ector	69			69		
Edwards	246	20	2	236	19	2
Ellis	2104	403	9	2230	310	8
El Paso	680	44	2	683	41	2
Erath	1015	150	14	1138	89	14
Falls	2017	261	9	2073	232	9
Fannin	1902	201	16	1902	201	15
Fayette	1081	721	21	1233	636	21
Fisher	370	9	6	373	8	6
Floyd	434	13	11	422	13	11
Foard	308	23	5	310	22	5
Fort Bend	383	107		418	85	



County	Governor			Lieut. Governor		
	Hobby	Boynton	Simpson	Johnson	Scott	Hurlburt
Franklin	430	51	2	442	48	2
Freestone	927	555	11	970	532	10
Frio	192	6		193	4	
Gaines	73	1		73	1	
Galveston	1115	466	8	1217	406	6
Garza	138	5		146	4	
Gillespie	289	717	96	308	698	99
Glasscock	53		1	52		1
Goliad	202	15	4	208	14	4
Gonzales	1025	185	4	1039	175	3
Gray	216	22	2	222	20	2
Grayson	2682	536	16	2743	492	16
Gregg	378	51	3	384	50	3
Grimes	587	30	3	595	26	3
Gundalupe	712	1171	15	796	1112	15
Hale	373	29	1	378	28	1
Hall	547	7	6	550	6	1
Hamilton	633	89	1	659	81	2
Hansford	67	7	1	67	7	1
Hardeman	416	33	8	417	30	8
Hardin	359	53	4	320	31	9
Harris	5346	1462	97	5799	1027	92
Harrison	563	45	3	567	44	3
Hartley	25	1		24	2	
Haskell	630	26	27	634	28	28
Hays	499	14		504	14	
Hemphill	207	32	2	206	32	1
Henderson	1224	224	30	1269	206	30
Hidalgo	1009	112	6	1034	111	5
Hill	2107	290	5	2193	229	5
Hockley						
Hood	432	29		438	29	
Hopkins	1754	132	13	1764	136	14
Houston	1076	256	9	1102	235	9
Howard	335	3	8	337	3	8
Hudspeth	58			58		
Hunt	2591	196	13	2605	188	14
Hutchinson	78	13	4	81	12	3
Irion	93		2	95		2
Jack	441	59	16	449	58	15
Jackson	249	30	11	256	34	10
Jasper	388	25	2	396	21	2
Jeff Davis	78			77		
Jefferson	1646	105	19	1712	68	15
Jim Hogg	41	3		41	3	
Jim Wells	232	8	3	224	8	3
Johnson	1551	177	18	1606	161	24
Jones	822	60	7	835	51	7
Karnes	331	38		244	35	1
Kaufman	1474	261	6	1490	247	5
Kendall	197	480	4	203	471	4
Kent	94			94		
Kerr	223	55	3	226	52	1
Kimble	136	2	1	137	3	2
King	13			13		
Kinney	126	78		127	77	
Kleberg	270	21	3	273	21	3
Knox	127	23	4	430	21	4
Lamar	1348	71	6	1357	69	6
Lamb	85	7		84	7	
Lampasas	414	91	2	448	73	2
La Salle	168	5		169	4	
Lavaca	709	517	13	966	313	10
Lee	870	289	13	881	286	14
Leon	634	265	7	652	251	7
Liberty	342	136	3	349	133	3
Limestone	1427	256	7	1464	231	8
Lipscomb	297	96	19	291	99	21
Live Oak	255	8	6	265	4	9
Llano	325	19		339	17	
Loving						
Lubbock	436	13	1	436	12	1
Lynn	176	4		177	3	
Madison	516	127	2	403	124	2
Marion	222	46		222	46	
Martin	59	1		58	1	
Mason	210	17	5	216	13	5
Matagorda	423	86	4	425	86	4
Maverick	112	43		115	39	

County	Governor			Lieut. Governor		
	Hobby	Boynton	Simpson	Johnson	Scott	Hurlburt
McCulloch	430	22	3	445	14	3
McClennan	1705	337	8	1846	212	7
McMullen	65	4		63	4	1
Medina	539	403	16	569	381	14
Menard	70			71		
Midland	133	9	1	134	7	1
Milam	1236	134	41	1284	113	37
Mills	463	48	7	477	42	6
Mitchell	291	12	2	295	12	2
Montague	1074	52	26	1086	48	26
Montgomery	538	103	3	550	96	4
Moore	44			44		
Morris	498	39	1	502	38	
Motley	162			161		
Nacogdoches	1018	60	8	1066	49	4
Navarro	2551	430	14	2662	347	18
Newton	246	8		248	8	
Nolan	369	21				
Nueces	732					
Ochiltree	241					
Oldham	62					
Orange	375					
Palo Pinto	754					
Panola	957					
Parker	1115					
Parmer	119					
Pecos	174					
Polk	527					
Potter	449	56	5	460	80	5
Presidio	228	8		228	8	
Rains	320	29	15	320	80	15
Randall	188	9		187	8	
Real	147	12	7	152	12	7
Reagan	40			40		
Red River	1317	73	7	1327	67	7
Reeves				188	2	
Refugio	186	60	10	192	64	11
Roberts	86	10	1	85	10	1
Robertson	583	51	1	581	43	1
Rockwall	445	14	4	445	14	4
Runnels	662	68	9	668	107	10
Rusk	1141	502	2			
Sabine	332	7	1	337	9	1
San Augustine	202	35	3	238	16	3
San Jacinto	189	39	1	191	47	1
San Patricio	529	47	7	540	41	6
San Saba	456	127	1	495	95	1
Schleicher	92	3		92	3	
Scurry	294	4	5	295	3	5
Shackelford	145	18	3	157	14	3
Shelby	1313	93	5	1319	89	3
Sherman	106	5		106	5	
Smith	1893	354	25	1917	348	25
Somervell	142	19		139	4	
Starr	340	7		340	7	
Stephens	213	14	1	218	10	
Sterling	104	18		115	7	
Stonewall	182	6	5	191	3	5
Sutton	136	2		137	2	
Swisher	154	15		153	15	
Tarrant	4532	398	41	4534	298	41
Taylor	682	27	5	724	17	3
Terrell	108	16		107	16	
Terry	84	2	1	84	2	1
Throckmorton	232	4		233	4	0
Titus	619	71	2	627	74	2
Tom Green	454	77	6	488	61	6
Travis	1681	219	11	1696	196	11
Trinity	453	39	12	467	31	11
Tyler	408	18	2	412	18	13
Upshur	838	61	13	860	47	14
Upton						
Dvalde	339	18		342	14	
Val Verde	186	19	1	182	11	1
Van Zandt	1474	87	37	1470	94	42
Victoria	327	119	2	360	101	3
Walker	493	184	14	500	180	14
Waller	347	98		359	85	
Ward	102	9	1	111	2	1
Washington	550	282	1	546	262	1

County	Governor			Lieut. Governor		
	Hobby	Boynton	Simpson	Johnson	Scott	Hurlburt
Webb	457	52		460	57	
Wharton	490	200	14	558	162	12
Wheeler	316	43	3	324	39	3
Wichita	804	65	9	810	65	11
Wilbarger	563	13	8	574	12	8
Willacy	42			42		
Williamson	1344	349	10	1448	253	10
Wilson	430	76	2	517	38	2
Winkler	7			7		
Wise	1183	110	9	1147	104	9
Wood	1258	215	45	1306	192	45
Yoakum	22			22		
Young	713	22	8	714	21	7
Zapata	77	12		77	12	
Zavala	156	8	4	157	8	4
Total	148,962	26,713	1,660	152,835	22,909	1,640

Smith.  
Dorough.  
Floyd.  
Hopkins.  
Strickland.

Suiter.  
Williford.  
Witt.  
Woods.

Nays—9.

#### Simple Resolution No. 24.

Action recurred upon pending business, Simple Resolution No. 24, the question being upon the substitute motion of Senator Page to lay the resolution on the table for one day. The substitute motion was withdrawn.

Action recurred upon the motion to adopt the resolution and the same prevailed by the following vote:

Yeas—13.

Bell. Buchanan of Scurry.  
Buchanan of Bell. Dayton.

Bailey.  
Caldwell.  
Cousins.  
Dudley.  
Faust.

Hall.  
Hertzberg.  
Johnston.  
Page.

Absent.

Carlock.  
Dean.  
Clark.  
Gibson.

McNealus.  
Parr.  
Woodward.

Absent—Excused.

Alderdice.

Westbrook.

## Message From the Governor.

Governor's Office.

Austin, Texas, January 17, 1919.

To the Thirty-sixth Legislature of the State of Texas.

I submit to you an itemized list of the applications for deficiencies in appropriations authorized by the Governor for the years 1917 and 1918, in accordance with Article 4342 of the Revised Civil Statutes of Texas, 1911, as follows:

Date Filed.	Institution or Department.	Nature of Claim.	Amount Authorized.
June 21, 1917	Warehouse and Markets.....	Stamps .....	\$ 300.00
June 21, 1917	Warehouse and Markets.....	Contingent Expense .....	500.00
Nov. 3, 1917	East Texas Normal.....	Contingent Expense .....	1,000.00
Nov. 3, 1917	East Texas Normal.....	Repairs, Etc. ....	13,900.00
Jan. 22, 1918	Deaf, Dumb and Blind School for Colored Youths.....	Dry Goods and Clothing.....	600.00
May 12, 1918	Buildings and Grounds.....	Water, Light, Etc. ....	4,000.00
May 23, 1918	Agriculture Department.....	Expenses, Nursery Inspector.....	3,000.00
May 24, 1918	Blind Institute.....	Fuel, Coal, Etc. ....	800.00
May 20, 1918	Southwestern Insane Asylum.....	Support and Maintenance.....	40,000.00
May 14, 1918	State Orphan Home.....	Fuel .....	3,000.00
May 14, 1918	State Orphan Home.....	Support and Maintenance.....	4,000.00
May 16, 1918	State Lunatic Asylum.....	Support and Maintenance.....	71,060.04
May 16, 1918	State Lunatic Asylum.....	Dry Goods, Etc. ....	15,000.00
May 16, 1918	Livestock Sanitary Commission.....	State Veterinarian .....	500.00
June 11, 1918	Confederate Home .....	Support and Maintenance.....	10,000.00
Sept. 6, 1918	Livestock Sanitary Commission.....	Expenses, Chairman .....	100.00
Sept. 6, 1918	Livestock Sanitary Commission.....	Office Expenses .....	250.00
June 14, 1918	Agricultural and Mechanical Col- lege .....	Steam Plant .....	10,417.00
June 14, 1918	Prairie View Normal.....	Steam Plant .....	15,038.53
June 18, 1918	Pure Food Department.....	Salaries and Expenses.....	750.00
July 8, 1918	Bureau of Labor.....	Salary, Inspector .....	900.00
July 8, 1918	Bureau of Labor.....	Traveling Expenses .....	300.00
June 14, 1918	School of Mines.....	Insurance, Water, Etc.....	10,519.00
July 24, 1918	Deaf, Dumb, and Blind School for Colored Youths.....	Support and Maintenance.....	750.00
July 25, 1918	State Library .....	Traveling Expenses .....	85.00
July 23, 1918	Fire Ins. Commission.....	Necessary Expense .....	1,000.00
July 19, 1918	North Texas Hospital for In- sane .....	Support and Maintenance.....	1,250.00
Sept. 30, 1918	Girls' Training School.....	Support and Maintenance.....	3,000.00
Sept. 30, 1918	Girls' Training School.....	Plumbing and Heat .....	500.00
Aug. 2, 1918	North Texas Insane Asylum.....	Support and Maintenance.....	8,000.00
Sept. 20, 1918	Labor Department .....	Contingent Expense .....	675.00
Sept. 24, 1918	East Texas Normal.....	Contingent Expense .....	3,375.00
Dec. 9, 1918	North Texas Normal.....	Contingent Expense .....	6,000.00
Dec. 14, 1918	State Lunatic Asylum.....	Dry Goods and Clothing.....	8,000.00
Dec. 20, 1918	Text Book Commission.....	Salaries and Expenses.....	2,000.00
	<b>TOTAL.....</b>		<b>\$ 241,069.67</b>

On January 1, 1919, there remained unissued of these deficiency certificates about \$110,000.00, according to a report furnished by the Comptroller of Public Accounts.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

## Message From Governor.

Governor's Office,

Austin, Texas, Jan. 17, 1919.

To the Texas Senate.

I ask the advice, consent and confirmation of the Senate in the following appointment:

Hon. Erwin J. Clark of McLennan County, Texas, judge of the Nineteenth Judicial District, appointed

January 16, 1919, to succeed Hon. George N. Denton, deceased.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

## Simple Resolution No. 25.

Whereas, Post-war and reconstruction conditions have brought to these

United States of America many problems of great import and, perhaps, the one of greatest importance is the question of government ownership of the railways of the United States; and

Whereas, Our great Democratic President, in whose wisdom we have every reason to confide, in his address to Congress on December 2nd said: "The question which causes me the greatest concern is the question of the policy to be adopted towards the railroads. I frankly turn to your counsel upon it"; and after making other illuminating statements on this subject, further says: "Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered, and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there shall appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of its solution, namely, certainty and a quick stimulation of private initiative"; and

Whereas, In wisdom so characteristic of the man, our President has turned to Congress for counsel on this momentous subject, in his keen sense of justice endeavoring to deal fairly with the owners of the railroads and protectively to the public welfare; and

Whereas, We feel that the Congress of the United States will, by being informed of public sentiment, be better able to solve and direct the course of the problem, and recognizing the necessity, as expressed in the President's address, of relinquishing control of the railroads as quickly as possible, and the certainty of conditions that said release of the railroads by the Federal Government would immediately establish; therefore, be it

Resolved by the Senate of this the Thirty-sixth Legislature of the State of Texas, That we favor the return of the railroads to their owners as immediately as it can be accomplished without confusion or losses; and be it further

Resolved, That in all events we favor the return of railroads to their owners not later, but sooner, if pos-

sible, than twenty-one months after the date of proclamation of peace by the President of the United States, as provided for in the Act giving the Federal Government control of said railroads; be it further

Resolved, That we believe and think private ownership under strong Federal control and regulation, in service, income and disbursements, is desirable, and we do not believe Federal Government ownership of railroads is for the best interests of the people at this time; be it further

Resolved, That the Secretary of the Senate forward properly authenticated copies of this resolution to each United States Senator and member of Congress from Texas for their consideration; and a copy to the chief clerks of the House of Representatives and the Senate of each State.

JOHNSTON.

The resolution was read, and laid on the table for one day.

#### Simple Resolution No. 26.

The following porters worked, cleaning up the Senate and committee rooms, before the convening of the Senate, and under the direction of Bruce W. Bryant, superintendent of Public Buildings and Grounds, and under instruction of Senator R. M. Johnston, Acting Lieutenant Governor; Max Blocker, six days, L. Williams, four days; Henry Green, four days; George Eanes, six days; therefore, be it

Resolved, That said porters be paid \$2.00 per day out of the contingent expense fund of the Senate for said services.

GIBSON.

The resolution was read and adopted.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Jan. 20, 1919.

Hon. J. J. Strickland, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 1 (by Bledsoe et al.),  
A resolution proposing to amend the Constitution of the State of Texas by

amending Article 16, Section 20 thereof, by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, barter or exchange, in the State of Texas, of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicants whatever except for medicinal, mechanical, scientific or sacramental purposes, and providing that the Legislature shall enact laws to enforce this section; providing that until the Legislature shall prescribe other or different regulations on the subject the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or any intoxicant whatever, for medicinal purposes, shall be made only in cases of actual sickness and then only upon prescription of a regular practicing physician, subject to certain regulations with reference to the same; providing that this amendment shall be self-operative, and until the Legislature shall provide other or different penalties, the violation of any part of this constitutional provision shall be deemed a felony punishable by confinement in the penitentiary for a term of years specified, without the benefit of any law providing for suspended sentence; conferring authority upon the district courts and the judges thereof, under their equity powers, to issue upon suit of the Attorney General injunctions against infractions or threatened infractions of any part of this constitutional provision; providing that, without affecting the provisions herein, intoxicating liquors are declared to be subject to the general police power of this State; declaring that the Legislature shall have power to pass any additional prohibitory laws in aid thereof which it may deem advisable; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment, and prescribing certain rules and regulations with reference to the same; declaring that the provisions of the general election law shall govern in all respects as to qualification of electors and method of holding the election, and making certain provisions for the election and ballots thereof and method of voting; prescribing certain duties for the Governor of the State, and making an

appropriation to carry out this resolution.

By a vote of 121 Yeas and 1 nay; and

H. C. R. No. 14 (by Roemer et al.), Relating to official photographer to make block pictures.

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### Resolution Read and Referred.

The Chair had referred, after its caption had been read, the following:

H. J. R. No. 1. Referred to the Committee on Constitutional amendments.

#### House Concurrent Resolution No. 14.

Be it Resolved, by the House of Representatives, the Senate concurring, That the Speaker of the House of Representatives and the President Pro Tem. of the Senate, be and they are hereby authorized and requested to appoint the official photographers of the Thirty-sixth Legislature who shall make the block picture of the Thirty-sixth Legislature, and all applicants for said work are hereby directed to submit their propositions to them; and be it further

Resolved, That the Speaker and the President Pro Tem. shall report their selection in writing to both Houses of the Legislature.

ROEMER.  
DARROCH.  
CANALES.

Senator Dean moved the adoption of the resolution after the same had been read.

Senator Hopkins moved as a substitute that the resolution be referred to the Committee on Judicial Districts.

The substitute was lost.

The motion to adopt was withdrawn.

Resolution pending.

#### Senate Joint Resolution No. 10.

S. J. R. No. 10, Proposing to amend Article 16, of the Constitution of the State of Texas, by adding thereto Section 50a, relating to the creation and fixing of

liens against rural homesteads, and specifying the purposes for which such liens may be created, fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof; directing the issuance of the proclamation therefor, prescribing certain duties of the Governor of the State, and making an appropriation to defray the expenses of said election.

Be it resolved by the Legislature of the State of Texas.

Section 1. That Article XVI of the Constitution of the State of Texas be amended by adding thereto Section 50a, which shall read as follows:

Section 50a. Mortgages and deeds of trust upon rural homesteads signed and acknowledged by the husband and wife in the manner required for the conveyance thereof shall constitute a valid lien against such homestead when executed to obtain funds for one or more of the following purposes: The purchase of additional farm land, any improvement of farm land, purchase of farm equipment, feed for live stock, seed, fertilizers and live stock; provided the indebtedness secured by such mortgage or deed of trust shall be payable upon the amortization plan extending over a period of not less than twenty years and with interest not exceeding six (6) per cent per annum; and provided that a declaration made under oath by the husband and acknowledged prior to the execution of such mortgage or deed of trust and filed for record in the county where such homestead or a part thereof is situated setting forth the purpose or purposes to which such funds are to be applied shall be conclusive as against the husband and wife, their heirs and assigns, that such funds were so applied. Provisions of such mortgages or deeds of trust for the maturity of the whole debt or unpaid portion thereof upon the failure to pay principal, interest, taxes, insurance premiums, amortization payments, when due, or permitting pre-payment at the option of the borrowers, their heirs or assigns, or for the maintenance, protection, or preservation of the security or for its use for agri-

cultural or stock-raising purposes shall be valid. Provided that nothing herein contained shall affect nor in any manner impair the right to create or fix any lien now authorized by the Constitution and Laws of this State.

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors for the State, at an election to be held for such purpose on the third Saturday in August, A. D. 1919, the same being the 16th day of August, A. D. 1919; at said election the vote shall be by official ballot which shall have printed or written thereon the words "For the amendment to Article 16 of the Constitution of the State of Texas, relating to the creation and fixing of liens against rural homesteads, and specifying the purposes for which such liens may be created," and also the words "Against the amendment to Article 16 of the Constitution of the State of Texas, relating to the creation and fixing of liens against rural homesteads, and specifying the purposes for which such liens may be created." All the voters favoring this proposed constitutional amendment shall erase the words "Against the amendment to Article 16 of the Constitution of the State of Texas, relating to the creation and fixing of liens against rural homesteads, and specifying the purposes for which such liens may be created," and those opposing it shall erase the words "For the amendment to Article 16 of the Constitution of the State of Texas, relating to the creation and fixing of liens against rural homesteads, and specifying the purposes for which such liens may be created," which said erasures shall be made by making a mark with pencil or pen through said words. All ballots cast as above provided shall be counted as cast for or against this proposed amendment, and if a majority of the votes cast shall be for the amendment it shall be declared adopted; if a majority of the votes cast shall be against the amendment said amendment shall be lost. All the provisions of the general election laws as amended and in force at the time said election is held shall govern in all respects as to the qualifications of electors, the method of holding such election and

in all other respects as far as such election laws can be made applicable.

Section 3. The Governor of this State is hereby directed to issue the necessary proclamation for said election and to have the same published as required by the Constitution and laws of this State.

Section 4. The sum of five thousand (\$5,000.00) dollars or so much thereof as may be necessary is hereby appropriated out of any funds in the State Treasury not otherwise appropriated to defray the expenses of such proclamation, publication and election.

CALDWELL,  
BUCHANAN of Scurry,  
HALL,  
BELL,  
JOHNSTON,  
COUSINS,  
CARLOCK.

Senator Caldwell moved that the resolution be referred to the Committee of the Whole, and be printed in the Journal.

As a substitute, Senator Page moved that the resolution be referred to the Committee on Constitutional Amendments and be printed in the Journal.

The substitute was adopted by the following vote:

**Yeas—13.**

Bailey.	Gibson.
Buchanan of Bell.	Hertzberg.
Carlock.	Page.
Dayton.	Strickland.
Dean.	Sulter.
Faust.	Williford.
Floyd.	

**Nays—10.**

Bell.	Hall.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Cousins.	Witt.
Dorough.	Woods.

**Absent.**

McNealus.	Westbrook.
Parr.	Woodward.
Smith.	

**Absent—Excused.**

Alderice.	Dudley.
Clark.	

**Resolutions Signed.**

The Chair, President Pro Tem. Strickland, gave notice of signing and did sign in the presence of the Senate after the same had been read, the following:

H. C. R. No. 7, relating to the canvassing of the vote for Governor and Lieutenant Governor.

S. C. R. No. 5, directing Enrolling Clerks of Senate and House to make carbon copies of enrolled bills for Secretary of State.

H. C. R. No. 10, relating to form of printing House bills.

H. C. R. No. 4, relating to prevention of influenza in the Capitol.

Morning call concluded.

**House Concurrent Resolution No. 5.**

The Chair laid before the Senate on second reading:

H. C. R. No. 5, requesting the United States Senate to immediately submit an amendment to the United States Constitution abolishing the sex qualification for suffrage.

The resolution was read second time, and on motion of Senator Dudley the same was adopted.

**Senate Joint Resolution No. 1.**

The Chair laid before the Senate on second reading:

S. J. R. No. 1, proposed amendment to the Constitution, abolishing the office of County Treasurer, a resolution to be entitled "A Joint Resolution proposing and submitting to the people of Texas an amendment to Section 44, Article XVI, of the Constitution of the State of Texas, so as to abolish the office of County Treasurer."

The bill was laid before the Senate, read second time and, on motion of Senator Hopkins, was ordered engrossed.

**Senate Joint Resolution No. 2.**

The Chair laid before the Senate on second reading:

S. J. R. No. 2, proposed amendment to the State Constitution, authorizing the levy of a special tax of not exceeding seventy-five cents on



the one hundred dollars valuation for the improvement and maintenance of public roads, a resolution to be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article VIII, of the Constitution of the State of Texas, authorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation for the improvement and maintenance of the public roads."

The bill was laid before the Senate, read second time and, on motion of Senator Hopkins, was ordered engrossed.

### Adjournment.

At 3:45 o'clock p. m. the Senate, on motion of Senator Caldwell, adjourned until 10 o'clock tomorrow.

### APPENDIX.

#### Petitions and Memorials.

Senator McNealus offered a telegram from the Dallas Shakespeare Club, urging prompt passage of child labor, woman suffrage, minimum wage for women, mothers' pension, and compulsory school laws.

#### Engrossing Committee Report.

Austin, Texas, Jan. 17, 1919.

Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 59 carefully compared and find the same correctly engrossed.

FAUST, Chairman.

#### Committee Reports.

Committee Room,

Austin, Texas, Jan. 20, 1919.

Hon. J. J. Strickland, President of the Senate:

Your Committee on Civil Jurisprudence, to which was referred

S. B. No. 18, being a bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to Private corporations, by adding thereto Section 80, providing

for the creation of private corporations for the construction, building and manufacture of aeroplanes, including all classes of flying machines, to buy, sell and otherwise deal therein, and to operate, or have operated, any such machines for the purpose of carrying passengers and freight, both or either, including United States mail, from and to any point in this State, and subject to the laws thereof, to and from any point in any State of the United States, or any foreign country, with the right to acquire by purchase, or otherwise, and to maintain all necessary starting and alighting grounds and fields."

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,

Austin, Texas, Jan. 20, 1919.

Hon. J. J. Strickland, President Pro Tempore of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

Committee Substitute for S. B. No. 37, A bill to be entitled "An Act to amend Sections 5, 13 and 14 of Chapter 4 of the General Laws of the State of Texas, passed by the Legislature of the Fourth Called Session of the Thirty-fifth Legislature, so as to provide for the extension of time for the payment to the counties to the first day of December, 1919, and so as to provide that the time of the payment by the counties to the State be extended two years from the taking effect of this Act, and to extend the time for the distribution of seed and feed to September 1, 1919,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BELL, Chairman.

Committee Room,

Austin, Texas, Jan. 20, 1919.

Hon. J. J. Strickland, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to which was referred

S. B. No. 17, being a bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, 1911, relating to private corporations, by adding thereto Section 79, providing for the incorporation of

stock exchanges with authority to buy, sell, exchange and otherwise deal in the stocks and bonds of all classes of corporations; provided, such exchanges shall not buy, sell or deal in the stock of any corporation the sale of which is subject to the provisions of an Act passed at the First Called Session of the Thirty-third Legislature, and known as the blue sky law of this State, unless the sale of such stock has been authorized in the manner provided by said Act; and provided further, that no corporation created under this subdivision shall be chartered with a capital stock of less than fifty thousand (\$50,000.00) dollars, the whole amount of which shall be subscribed, and not less than fifty (50 per cent) per cent thereof paid in in cash money at the time of its incorporation,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do not pass.

DEAN, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1919.  
Hon. J. J. Strickland, President of  
the Senate:

Sir: Your Committee on Civil Jurisprudence, to which was referred

S. B. No. 15, being a bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 77, providing for the creation of private corporation for the establishment and maintenance of garages, with authority to purchase, sell, store, house, rent, repair and otherwise deal in automobiles and other motor vehicles and their accessories, gasoline and oils necessary in the operation of motor vehicles, with the right to operate motor vehicles of all kinds (except aeroplanes) for the carriage of passengers and freight, either or both, and to make reasonable charges therefor,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1919.  
Hon. J. J. Strickland, President of  
the Senate.

Sir: Your Committee on Criminal

Jurisprudence, to whom was referred

S. B. No. 14, A bill to be entitled "An Act to prohibit the maintenance and operation of pool halls within the State of Texas; defining the term 'pool halls' as used in the Act; declaring that the threatened, actual or contemplated use of any premises, place, room, building or part thereof, or tent or any kind of enclosure, for the purpose of a pool hall as defined in the Act, shall be enjoined at the suit of the State or any citizen thereof; stating who may be made party defendant in such injunction suit, conferring certain power and authority upon and fixing certain duties for the Attorney General and the County and District Attorneys of the State with reference to such suits; providing that any citizen may institute and maintain such suits; fixing the procedure in such suits; creating and defining offenses in violation of the Act, and providing the punishment therefor; and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following committee amendments:

Amend Section 2 of the bill by striking out the word "April" and substituting in lieu thereof the word "May."

Amend Section 2 of the bill by striking out "fifty (\$50.00) dollars and not more than two hundred (\$200.00) dollars," and substituting in lieu thereof "twenty-five (\$25.00) dollars and not more than one hundred (\$100.00) dollars."

SUITER, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1919.  
Hon. J. J. Strickland, President of  
the Senate:

Sir: Your Committee on Civil Jurisprudence, to which was referred

S. B. No. 38, being a bill to be entitled "An Act to amend Articles 4644 and 4645, Title 69, of the Revised Civil Statutes of Texas, relating to appeals in the granting, refusing to grant, dissolving and refusing to dissolve injunctions; and providing that transcript may be filed in the Court of Civil Appeals not later than twenty days after the entry of such order or judgment of record, and providing for giving appellee copy of brief,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

Committee Room,  
Austin, Texas, Jan. 20, 1919.  
Hon. J. J. Strickland, President Pro  
Tem. of the Senate:

Sir: Your Committee on Civil Jurisprudence, to which was referred

S. B. No. 40, being a bill to be entitled "An Act to amend Article 1845 of Revised Civil Statutes of 1911, relating to suit brought by the State of Texas or any county or city or independent school district or common school district against any officer or depository thereof, when such officers have held office for more than one term, and providing for suit against their different bondsmen,"

Has had said bill under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Chairman.

#### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, Jan. 20, 1919.  
Hon. J. J. Strickland, President Pro  
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Concurrent Resolution No. 5 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Caldwell. S. C. R. No. 5.

Whereas, It is necessary that copy of all enrolled bills in both the House and Senate be furnished to the State Printer by the Secretary of State and by such copy being made and so furnished by the enrolling clerks of both the House and Senate much time and expense will be saved the State; therefore, be it

Resolved by the Senate, the House of Representatives concurring. That the Enrolling Clerk of the Senate and the Enrolling Clerk of the House be directed and required to make carbon copies of all enrolled bills and resolutions that are sent to the Governor for his approval, and they shall furnish said copies to the Secretary of State at the same time the original enrolled bills and resolutions are transmitted to the Governor.

Committee Room,  
Austin, Texas, January 17, 1919.

Hon. J. J. Strickland, President Pro  
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 2 carefully compared and find the same correctly enrolled.

SMITH, Chairman.

By Dean. S. B. No. 2.

An Act making appropriation of the sum of Thirty Thousand (\$30,000.00) Dollars, or so much thereof as may be necessary to pay the contingent expenses of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That the sum of Thirty Thousand (\$30,000) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the contingent expenses of the Thirty-sixth Legislature of the State of Texas.

Section 2. The approval of the Chairman of the Committee on Contingent Expenses of the Senate, approved by the President of the Senate, or by the Chairman of the Committee on Contingent Expenses of the House of Representatives, approved by the Speaker of the House as the case may be, shall be sufficient authority for the Comptroller to issue warrants upon the Treasurer for the payment of accounts drawn upon said fund.

Section 3. The public importance of the purpose herein contemplated creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read upon three several days in each House, and the said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, January 17, 1919.  
Hon. J. J. Strickland, President Pro  
Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have had Senate Bill No. 1 care-

fully compared and find the same correctly enrolled.

SMITH, Chairman.

By Dean.

S. B. No. 1.

An Act appropriating the sum of One Hundred Twenty-five Thousand (\$125,000.00) Dollars, or so much thereof as may be necessary, out of the general revenue, not otherwise appropriated, to pay the mileage and per diem of members and the salaries and per diem of officers and employes of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That the sum of One Hundred Twenty-five Thousand (\$125,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated, to pay the mileage and per diem of the members and the salaries and the per diem of officers and employes of the Thirty-sixth Legislature of the State of Texas.

Section 2. The certificate of the Secretary of the Senate approved by the President thereof, or of the Chief Clerk of the House of Representatives approved by the Speaker thereof, shall be sufficient evidence to the Comptroller upon which he shall audit the claims and issue the warrants for same upon the State Treasurer for the respective amounts.

Section 3. Whereas, the Thirty-sixth Legislature is now in session and public policy requires the appropriation as set forth in Section One hereof, therefore, an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House be suspended and the same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

#### SIXTH DAY.

Senate Chamber,  
Austin, Texas, Jan. 21, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by Secretary W. E. Conn.

By unanimous consent, and on request of Senator McNealus, the Senate stood at ease for a few minutes; and at the expiration of which time the Senate was again called to order by President Pro Tem. Strickland.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	Woodward.

Absent.

Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Petitions and Memorials.

See Appendix.

#### Committee Reports.

See Appendix.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Jan. 21, 1919.

Hon. J. J. Strickland, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following:

S. C. R. No. 8, relating to discharge of soldiers who are farmers and stock raisers.

S. C. R. No. 2, as substituted, honoring the 36th Division, U. S. A., in France.